

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION
CIVIL ACTION NO: 21-cv-

Verdon Allen Smith,)
vs. Plaintiff,) PETITION AND NOTICE OF REMOVAL
Decker Truck Line, Inc.)
Defendant.)

)

TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, FLORENCE DIVISION:

Pursuant to Title 28, U.S.C.A., § 1441(a), the Defendant Decker Truck Line, Inc. hereby removes this action to the United States District Court, District of South Carolina, upon the following grounds:

1. The Defendant is the only named Defendant in the Complaint in a civil action filed on February 12, 2021, by Plaintiff Verdon Allen Smith, in the Court of Common Pleas for the County of Florence, South Carolina, Civil Action Number 2021-CP-21-00317.
2. The Defendant received notice of the Summons and Complaint on February 21, 2021, by way of acceptance of service. A copy of the Summons and Complaint is attached hereto as Exhibit "A".
3. Other than the above-referenced Summons and Complaint, no other pleadings have been filed in this action, to the best of the Defendant's knowledge.
4. This Court has original jurisdiction over this civil action, which is presently

pending in the Florence County Court of Common Pleas, pursuant to 28 U.S.C. § 1332, and this action is one that may be removed to this Court by the Defendants pursuant to the provisions of 28 U.S.C. § 1441(a). The Plaintiff herein is a citizen and resident of the State of South Carolina and the Defendant is a corporation organized and existing pursuant to the law of the State of Iowa and with its principal place of business in that state. Additionally, counsel for the Plaintiff has represented to counsel for the Defendant that the amount in controversy exceeds \$75,000.00, exclusive of interest and costs. This Court has jurisdiction based upon diversity of citizenship.

WHEREFORE, the Defendant respectfully request this Court to accept this Notice of Removal, to cause this entire suit to be docketed in this Court, and to proceed to the final determination of this suit.

AIKEN BRIDGES ELLIOTT TYLER &
SALEEBY, P. A.

By: s/James M. Saleeby, Jr.

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March 8, 2021